



COUNCIL MEETING AGENDA

August 17, 2017

Members may attend in person or by telephone.

Jenn Daniels, *Mayor*
Victor Petersen, *Vice Mayor*

Scott Anderson
Eddie Cook
Brigette Peterson

Jordan Ray
Jared Taylor

**Municipal Center, Council Chambers
50 E Civic Center Drive
Gilbert, Arizona**

**Regular Meeting
7:00 PM**

**AGENDA ITEMS MAY BE DISCUSSED IN A DIFFERENT SEQUENCE.
ITEMS WILL NOT BE DISCUSSED PRIOR TO POSTED MEETING TIME.**

AGENDA ITEM

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation may be offered by a person of any religion, faith, belief or non-belief, as well as Councilmembers. A list of volunteers is maintained by the Town Clerk and interested persons should contact the Clerk for further information.

Mayor invites all scouts present to the front of the Council Chambers.

Pledge of Allegiance and introduction and recognition of scouts.

Invocation by Father David Mbimadory, Saint Anne Roman Catholic Parish.

ROLL CALL

COMMUNICATIONS FROM CITIZENS

At this time, members of the public may comment on matters within the jurisdiction of the Town but not on the agenda. The Council's response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.

CONSENT CALENDAR

All items listed below are considered consent calendar items and may be approved by a single motion unless removed at the request of Council for further discussion/action. Other items on the agenda may be added to the consent calendar and approved under a single motion.

- 1 DEVELOPMENT AGREEMENT – consider adoption of a Resolution approving a Development Reimbursement Agreement with Texture Masters, Inc. for dedication of right-of-way and payment to Gilbert in the amount of \$200,000 in-lieu of installation of off-site improvements to Lindsay Road, located on the west side of Lindsay Road approximately 300 feet north of the intersection with Germann Road, Project No. ST145, and authorize the Mayor to execute the required documents.
- 2 CONTRACT – consider approval of Architectural/Engineering (A/E) Services Contract No. 2017-2106-0590 with Dig Studio in an amount not to exceed \$982,997 to provide the design and engineering services for Gilbert Regional Park - Phase 1, Project No. PR031, and authorize the Mayor to execute the required documents.
- 3 CONTRACT – consider approval of Project Management/Construction Management (PM/CM) Contract No. 2017-2106-0604 with Marc Taylor Inc. in an amount not to exceed \$1,899,927 for Gilbert Regional Park - Phase 1, Project No. PR031, and Rittenhouse District Park – Phase 1, Project No. PR032, and authorize the Mayor to execute the required documents.
- 4 CONTRACT – consider approval of Construction Manager at Risk (CM@R) Pre-Construction Services Contract No. 2017-2106-0633 with Hunter Contracting Co. in an amount not to exceed \$51,810.61 for the Heritage District Transportation Improvements, Project No. RD211, and authorize the Mayor to execute the required documents.
- 5 CONTRACT – consider approval of Construction Management (CM) Services Contract No. 2018-2106-0036 with Wood Patel in an amount not to exceed \$284,280 for the Higley and Baseline Road Improvement Project, Project No. ST174, and authorize the Mayor to execute the required documents.
- 6 CONTRACT – consider approval of Cooperative Purchase Contract No. 2018-2106-0042 with Dave Bang Associates, Inc. pursuant to a Mohave Educational Services Cooperative, Inc. Contract No. 14X-BANG-0220 in an amount not to exceed \$272,145.50 for playground equipment, Project No. PR103, and authorize the Mayor to execute the required documents.
- 7 AGREEMENT – consider approval of an Amendment to Exhibit A of the Trust Indenture and Joint Payment Agreement No. 2013-4108-0328 with Lower Colorado River Multi-Species Conservation Program and authorize the Mayor to execute the required documents.
- 8 CONTRACT – consider approval and authorize the Mayor to execute the required

documents for:

- a) expenditures under Contract No. 2016-1105-0082 with Hewlett Packard Company in an amount not to exceed \$169,000 for computer hardware including peripherals, maintenance and support services; and
 - b) a Contingency Transfer from the General Fund in the amount of \$7,000.
- 9 CHANGE ORDER – consider approval of Change Order No. 1 to Project Management/Construction Management Services Contract No. 2016-7010-0133 with Wood/Patel Engineering, Inc. increasing the contract amount by \$63,775 for the Fiesta Tech Sewer Service and Lift Station, Project No. WW099, and authorize the Mayor to execute the required documents.
- 10 CHANGE ORDER – consider approval of Change Order No. 1 to Contract No. 2016-7012-0253 with Morrison-Maierle, Inc. increasing the contract amount by \$158,449 for the Elliot District Park Improvements, Project No. PR125, and authorize the Mayor to execute the required documents.
- 11 FEES – consider adoption of a Resolution establishing general public rates/fees for Ambulance Transportation Services.
- 12 BUDGET – consider approval of a Contingency Transfer from the Capital Improvement Plan (CIP) Contingency Fund to reduce Public Safety Personnel Retirement System (PSPRS) Police and Fire unfunded liabilities in the amount of \$2,500,000.
- 13 BUDGET – consider approval of a Contingency Transfer from the General Fund in the amount of \$81,681 for the use of Proposition 302 Maricopa County monies from the Arizona Office of Tourism (AOT) to promote tourism efforts in Gilbert. Revenue in a like amount will be received from AOT to replenish the General Fund.
- 14 PARKWAY IMPROVEMENT DISTRICT – consider finding no written notices objecting to the acts of proceeding were filed with Gilbert pursuant to A.R.S. 48-584 (E) within 15 days of the publication of the notice of award of the contract for FY18 improvements in Parkway Improvement District Nos. 07-1, 07-2, 07-4, 07-5, 07-6, 07-8, & 07-11, and authorize the Mayor to execute the required documents as follows:
- a) Contract No. 2017-8003-0646 with ELS Construction, Inc. in an amount not to exceed \$23,320 for PK No. 07-1;
 - b) Contract No. 2017-8003-0640 with Somerset Landscape LLC, dba Landscape United, in an amount not to exceed \$39,959.27 for PK No. 07-2;
 - c) Contract No. 2017-8003-0647 with Somerset Landscape LLC, dba Landscape United, in an amount not to exceed \$17,353 for PK No. 07-4;

d) Contract No. 2017-8003-0648 with Mariposa Landscape Arizona Inc. in an amount not to exceed \$44,283.12 for PK No. 07-5;

e) Contract No. 2017-8003-0645 with Somerset Landscape LLC, dba Landscape United, in an amount not to exceed \$37,035.55 for PK No. 07-6;

f) Contract No. 2017-8003-0641 with East Valley Golf Ltd., dba Revegetation Services, in an amount not to exceed \$35,491.50 for PK No. 07-8; and

g) Contract No. 2017-8003-0643 with Somerset Landscape LLC, dba Landscape United, in an amount not to exceed \$25,619.32 for PK No. 07-11.

- 15 FINAL PLAT S09-02 - consider approval of the final plat for Adora Trails - Parcel 15 located at the southwest corner of Adora Boulevard and Riggs Road.
- 16 ABANDONMENT - consider adoption of a Resolution of abandonment for 7,100 square feet of public right-of-way on Remington Drive west of Rockwell Street in the Higley Manor subdivision.

PUBLIC HEARING

Items will be heard at one Public Hearing; at which time anyone wishing to comment on a Public Hearing Item may do so. Comments will be heard from those in support of or in opposition to an item. Hearings are noticed for 7:00 p.m.

In order to comment on a Public Hearing Item, you must fill out a public comment form, indicating the Item Number on which you wish to be heard. Once the hearing is closed, there will be no further public comment unless requested by a member of the Council. After the Public Hearing, the Council may act on all items not requiring additional staff, public, or Councilmember comment with a single vote.

- 17 LIQUOR LICENSE – conduct hearing and consider approval of a Series 10 Beer and Wine Store Liquor License for Gilbert Mobile Gas Company located at 2371 East Baseline Road.
- 18 LIQUOR LICENSE – conduct hearing and consider approval of a Series 12 Restaurant Liquor License for The Brass Tap located at 313 North Gilbert Road, Suite 100.
- 19 BONDS – conduct hearing and consider adoption of a Resolution authorizing the reimbursement of Capital Expenditures related to the Phase III expansion of the Greenfield Water Reclamation Plant, Project No. WW075, from a future bond issuance.
- 20 GENERAL PLAN GP17-1004/ ZONING Z17-1009– conduct hearing and consider:

a) adoption of a Resolution approving a Minor General Plan amendment GP17-1004 – Morrison Ranch Power and Elliot Commercial changing the land use classification of approximately 8 acres of real property generally located north of the northwest corner of Power Road and Elliot Road and within the Morrison Ranch Business Center Planned Area Development (PAD) from Business Park (BP) to General Commercial (GC). The effect of this amendment will be to change the plan of development for the property to allow commercial development; and

b) approval of the findings and adoption of an Ordinance for Z17-1009 – Morrison Ranch Power and Elliot Commercial: Request amending Ordinance No. 2219 and rezoning approximately 8 acres of real property within the existing Morrison Ranch Business Center Planned Area Development (PAD) overlay district and generally located north of the northwest corner of Power and Elliot Roads from Business Park (BP) with a PAD overlay zoning district to General Commercial (GC) with a PAD overlay zoning district as shown on the exhibit (map) that is available for viewing in the Planning and Development Services Office and subject to the conditions of development set forth in Ordinance No. 2219. The effect of the rezoning will be to allow commercial development.

- 21 CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Chapter 10 Building and Construction Regulations, Article VI Public Works, Section 10-202 Adoption of Town of Gilbert's public works and engineering standards by adopting the Town of Gilbert Parks Department Design and Construction Standards as an appendix.

ADMINISTRATIVE ITEMS

Administrative Items are for Council discussion and action. It is to the discretion of the majority of the Council regarding public input requests on any Administrative Item. Persons wishing to speak on an Administrative Item should complete a Request to Speak Form and indicate the Item they wish to address. Council may or may not accept public comment.

- 22 BOARDS AND COMMISSIONS – consider appointment of one regular member to the Town of Gilbert AZ Public Facilities Municipal Property Corporation with a term beginning August 18, 2017 and ending January 1, 2021.
- 23 COUNCIL ADMINISTRATION - consider acceptance of the Budget Report and Contingency Report for the 4th Quarter of FY2017.
- 24 COUNCIL ADMINISTRATION - discussion regarding the League of Arizona Cities and Towns 2018 Proposed Resolutions for the purpose of representing the Town at the League of Arizona Cities and Towns Resolutions Committee at the Annual Conference on August 22, 2017.
- 25 COUNCIL ADMINISTRATION - discussion and direction that the Town Council adopt the following Policy Statement: “The operation of controlled left turn movements at signalized traffic intersections in the Town of Gilbert is to generally be

a leading left turn indicator with exceptions being allowed as determined and directed by the Town Traffic Engineer to provide for the safe and efficient operation and flow of traffic.”

- 26 **BOARDS, COMMISSIONS, AND COMMITTEES** - reports from Council Liaisons for the:
- a) Subcommittee on Board and Commission Application Screening, Interview, and Selection
 - b) Other Council Subcommittees
 - c) Regional Meetings
 - d) Industrial Development Authority
 - e) Mayor’s Youth Advisory Committee
 - f) Parks and Recreation Board
 - g) Planning Commission
 - h) Redevelopment Commission
 - i) Town of Gilbert, AZ Public Facilities MPC
 - j) Town of Gilbert, AZ Water Resources MPC
 - k) Town of Gilbert, AZ Self-Insured Trust Fund for Health Benefits
 - l) Utility Board

FUTURE MEETINGS

There may be a discussion of whether to place an item on a future agenda and the date, but not the merits of the item.

Requested Agenda Items and Projected Meeting Dates

September 21, 2017 - Policy on undergrounding 12 kV power lines. Contact: Kyle Mieras (J. Daniels, V. Petersen, J. Ray)

September 21, 2017 - Gift Policy for Staff - discuss applying the same gift policy for Council to Town Staff and Contractors/Consultants Contact: Jolean Fleck (J. Taylor, S. Anderson, B. Peterson)

October 19, 2017 - Strategy on Tourism. Contact: Dan Henderson (J. Daniels, V. Petersen, J. Ray)

Spring Retreat - New Execution Funding Policy. Contact: Kelly Pfof (E. Cook, V. Petersen, J. Daniels)

Spring Retreat - Park Funding Policy. Contact: Rod Buchanan (E. Cook, J. Taylor, S. Anderson)

COMMUNICATIONS

Report from the TOWN MANAGER on current events.

Report from the COUNCIL on current events.

Report from the MAYOR on current events.

ADJOURN

NOTICE TO PARENTS: Parents and legal guardians have the right to consent before the Town of Gilbert makes a video or voice recording of a minor child. A.R.S. 1-602.A.9. Gilbert Council Meetings are recorded and maybe viewed on Channel 11 and the Gilbert website. If you permit your child to participate in the Council Meeting, a recording will be made. If your child is seated in the audience your child may be recorded, but you may request that your child be seated in a designated area to avoid recording. Please submit your request to the Town Clerk.